

Message

From: Fotouhi, David [Fotouhi.David@epa.gov]
Sent: 12/13/2019 4:23:20 PM
To: Wade, Alexis [Wade.Alexis@epa.gov]
CC: Wehling, Carrie [Wehling.Carrie@epa.gov]; Kupchan, Simma [Kupchan.Simma@epa.gov]; Messier, Dawn [Messier.Dawn@epa.gov]
Subject: Re: ATTORNEY-CLIENT PRIVILEGE / INTERNAL - DELIBERATIVE

Ex. 5 AC/DP

Thanks, Alexis. Yes, Dave plans to notify in writing.

Sent from my iPhone

On Dec 13, 2019, at 11:01 AM, Wade, Alexis <Wade.Alexis@epa.gov> wrote:

I don't have any further comments on the letter, but I did want to flag that

Ex. 5 Attorney Client (AC)

Ex. 5 Attorney Client (AC)

-Alexis

Ex. 5 Attorney Client (AC)

Alexis Wade
Attorney-Adviser
Water Law Office
EPA Office of General Counsel
(202) 564-3273

From: Wehling, Carrie <Wehling.Carrie@epa.gov>
Sent: Friday, December 13, 2019 9:21 AM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
Cc: Messier, Dawn <Messier.Dawn@epa.gov>
Subject: RE: ATTORNEY-CLIENT PRIVILEGE / INTERNAL - DELIBERATIVE - Non-Federal Designation of FL

Thanks for the update, David. Nothing further from me.

Carrie

Caroline (Carrie) Wehling
Assistant General Counsel
Water Law Office
U.S. Environmental Protection Agency
Washington DC 20004
202-564-5492
wehling.carrie@epa.gov

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Thursday, December 12, 2019 6:47 PM
To: Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
Cc: Messier, Dawn <Messier.Dawn@epa.gov>
Subject: RE: ATTORNEY-CLIENT PRIVILEGE / INTERNAL - DELIBERATIVE - Non-Federal Designation of FL

Ex. 5 AC/DP

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Fotouhi, David
Sent: Thursday, December 12, 2019 1:29 PM
To: Carrie Wehling <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>
Cc: Dawn Messier <Messier.Dawn@epa.gov>
Subject: FW: ATTORNEY-CLIENT PRIVILEGE / INTERNAL - DELIBERATIVE - Non-Federal Designation of FL

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Fotouhi, David
Sent: Thursday, December 12, 2019 1:28 PM
To: Walker, Mary <walker.mary@epa.gov>; Ross, David P <ross.davidp@epa.gov>
Cc: Goodin, John <Goodin.John@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Ashbee, Blake <ashbee.blake@epa.gov>
Subject: RE: ATTORNEY-CLIENT PRIVILEGE / INTERNAL - DELIBERATIVE -

Ex. 5 AC/DP

PRIVILEGED—DELIBERATIVE

Dave, Mary,

Thanks for the time to consider this issue further. I have discussed the matter with my staff, and we advise

Ex. 5 AC/DP

Ex. 5 AC/DP

Of course, I'd be glad to discuss further.

Best,

David

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Walker, Mary <walker.mary@epa.gov>
Sent: Thursday, December 12, 2019 10:41 AM
To: Fotouhi, David <Fotouhi.David@epa.gov>; Ross, David P <ross.davidp@epa.gov>
Cc: Goodin, John <Goodin.John@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>;
Palmer, Leif <Palmer.Leif@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Ashbee, Blake
<ashbee.blake@epa.gov>
Subject: RE: ATTORNEY-CLIENT PRIVILEGE / INTERNAL - DELIBERATIVE

Ex. 5 AC/DP

Thank you David.

From: Fotouhi, David <Fotouhi.David@epa.gov>
Sent: Wednesday, December 11, 2019 4:04 PM
To: Walker, Mary <walker.mary@epa.gov>; Ross, David P <ross.davidp@epa.gov>
Cc: Goodin, John <Goodin.John@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>;
Palmer, Leif <Palmer.Leif@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Ashbee, Blake

<ashbee.blake@epa.gov>

Subject: RE: ATTORNEY-CLIENT PRIVILEGE / INTERNAL - DELIBERATIVE

Ex. 5 AC/DP

Hi, Mary. I'd like to discuss the draft with my staff in light of yesterday's CEQ meeting to ensure that we're providing the appropriate counsel to you and Dave on this approach—I should be able to accomplish this and circle back with you by midday tomorrow.

David Fotouhi

Principal Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Walker, Mary <walker.mary@epa.gov>

Sent: Wednesday, December 11, 2019 3:22 PM

To: Fotouhi, David <Fotouhi.David@epa.gov>; Ross, David P <ross.davidp@epa.gov>

Cc: Goodin, John <Goodin.John@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Palmer, Leif <Palmer.Leif@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Ashbee, Blake <ashbee.blake@epa.gov>

Subject: Re: ATTORNEY-CLIENT PRIVILEGE / INTERNAL - DELIBERATIVE

Ex. 5 AC/DP

Dave and David,

I wanted to confirm with you that I can issue the attached letters tomorrow. I spoke with Noah today on another matter and he expressed interest in receiving it. Are you comfortable with us moving forward on this?

If we should discuss please let me know and I'll have my folks set a call for tomorrow.

Thanks
Mary

Sent from my iPhone

On Dec 6, 2019, at 2:20 PM, Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov> wrote:

Mary, Dave and David,

Ex. 5 AC/DP

Ex. 5 Deliberative Process (DP)

Please let me, John or Steve know if you need additional information or have any questions.

Thanks
Jeaneanne

Ex. 5 AC/DP